M

Sectt. II-27—100,000—21-6-48.

FINANCE (195 48) Department.

MS SERIES.

G.O. No. 79.

Dated 22-1-1948.

[Despatch Abstract.]

COMMITTEE - PUBLIC ACCOUNTS - CONSTITUTION OF - FOURTH SESSION OF THE MADRAS LEGISLATIVE ASSEMBLY.

Finance (Accounts A)Department.

Sub: Public Accounts Committee for the Fourth Session of the Madras Legislative Assembly - Constitution.

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A list of members of the Madras Legislative Assembly elected to the Public Accounts Committee for the third session of the Assembly is at page 10 C.F. of G.O.No.743 Finance dated 27-9-47. Under rule 134 (2) of the Madras Legislative Assembly Rules, the members of the Public Accounts Committee will cease to hold office at the close of each session, and under rule 3 (a) of the Assembly Rules, a session of the Assembly was prorogued with effect on and from the 5th January 1948 Therefore, the Public Accounts Committee constituted in G.O.No.743 Finance dated 27-9-1947 has become 'functus Officio' and a new Committee has to be constituted for the next session of the Assembly. Is terminated by prorogation. The third session of the Assembly

2. The probable date of the commencement of the next session of the Assembly is not known. However, action may now be taken for the constitution of the Public Accounts Committee for the next session by election by the Legislative Assembly. The Committee on Public Accounts consists of ten members including the Finance Minister who is a member ex-officio; the other nine members are elected by the Assembly from among its members. So nine members will have to be elected.

3. A draft notice of motion for the constitution of the Public Accounts Committee for the next session of the Assembly is submitted below. If approved, the office copy and fair copy of the letter below to the Secretary, Legislative Assembly, may kindly be signed by H.M.(Finance).

Sd.. 8.1.48.

H.M.FINANCE.

We took the trouble of getting a Committee elected and before could meet, it becomes 'functus Officio'. The position is funny. The rule may be amended and the Committee may be allowed to function for a year hereafter. May be examined in consultation with Legislative Secretary.

* Extracts taken
for separate action.

Sd. B.G.R.12.1. X.

(Issued as Letter No.937 A&-1 dated 16.1.48)

(From the Sectt of the Madras Legislative Note No.449/48-1 M.L.Dated 22-1-48).

Please see the U.O.Note from the Secretariat of the Legislature on page 3 C.F. containing the list of members elected by the Assembly to the Public Accounts Committee for the Fourth Session of the Assembly under rule 134 (2) of the Madras Legislative Assembly Rules.

Under the same rule, the Finance Minister is an ex-officio Members of the Committee. The Finance Minister and the nine elected members, i.e. ten members in all, will constitute the Public Accounts Committee.

The Chairman will have to be elected by the Committee from among its members at the first meeting of the Committee. (H.M.Finance has agreed to adopt the convention that a member of the apposition shall be elected as Chairman of the Committee.)

A draft order constituting the Committee is submitted for approval.

Sd...
22/1/48.

/True Copy/

Extract of notes from the file relating to "Public Accounts Committee for the Fourth Session of the Madras Legislative Assembly - Constitution".

A list of members of the Madras Legislative Assembly elected to the Public Accounts Committee for the third session of the Assembly is at (page 10 C.F. of G.O.No.743 Finance dated 27-9-1947). Under rule 134 (2) of the Madras Legislative Assembly Rules, the members of the Public Accounts Committee will cease to hold office at the close of each session, and under 3 (a) of the Assembly Rules, a session of the Assembly is terminated by prorogation. The third Session of the Assembly was prorogued on and from the 5th January 1948. Therefore, the Public Accounts Committee constituted in G.O.No.743 Finance dated 27-9-1947 has become 'functus officio' and a new Committee has to be constituted for the next session of the Assembly.

2. The probable date of the commendment of the next session of the Assembly is not known. However, action may now be taken for the constitution of the Public Accounts Committee for the next session by election by the Legislative Assembly. The Committee on Public Accounts consists of ten members including the Finance Minister who is a member ex-officio; the other nine members are elected by the Assembly from among its members. So nine members will have to be elected.

3. A draft notice of motion for the constitution of the Public Accounts Committee for the next session of the Assembly is submitted below. If approved, the office copy and fair copy of the letter below to the Secretary, Legislative Assembly, may kindly be signed by H.M.(Finance).

N.L.R. 7-1-48. D.W.D.8-1-48.

We took the trouble of getting a Committee elected and before it could meet, it becomes 'functus officio'. The position is funny. The Rule may be amended and the Committee may be allowed to function for a year hereafter.

May be examined in consultation with the Legislature Secretary.

Issue the draft and then examine the point raised.
M.N.S.R.
15-1-48.

B.G.R. 12-1-48.
H.M.Finance.

Finance AAccounts A)

Please seethe notes and minutes of H.M.(Finance) extracted at page 1 above.

2. Rule 134 (2) of tne Madras Legislative Assembly Rules lays down that the members of the Public Accounts Committee will cease to hold office at the close of each session. H.M.(Finance) has minuted that the rule may be amended and the Committee may be allowed to function for a year hereafter.

It is submitted that the question of amending Rule 134(2) of the Madras Legislative Assembly Rules so as to provide for the constitution of a fresh Committee on Public Accounts for each financial year was considered in 1937 itself and the proposed amendment was referred to the Joint Committee of both the Chambers of the Legislature constituted in 1937 for the purpose. This Committee recommended ~~gave effect to the amendments~~ in the existing rules. Due to the ~~legislation was~~ ~~pending in~~ ~~August 1939~~ it was not possible to ~~assent~~ of the House for making rules for regulating, subject to the provisions of the Government of India Act 1935, their procedure and conduct of their business. This Committee has to a large extent accepted the recommendations made by the previous Committee

in 1937. The amendments accepted by this Committee have been examined by Public (Elections) and the connected file is now in Legal. It is proposed there to amend Rule 134 (2) of the Madras Legislative Assembly Rules so as to provide for the constitution of a fresh Committee on Public Accounts for each financial year. This Department has already agreed to the proposed amendment.

3. In view of this no separate action seems called for now in this Department on the minutes of H.M.(Finance) as when the rule is amended prorogation.of the Legislative Assembly will not render the Committee 'functus Officio' as at present.

4. Public (Elections) and Legal may see before circulation.

Sd..
3.2.48.

Pub(Elections)
Legal.

Public (Elections)Department.

Pages 1-2 ante may be perused and the file passed on to Legal.

Sd.. 4/2/48.

Legal Department.

seen in Legal. The file referred to by Finance at (A) on page 2 ante is being returned to Public (Elections) separately.

Sd.. 14/2/48.

Finance (AA)

Submitted that the file may now be circulated to H.M. (Finance) for perusal of paras 3 of the notes on page 2 above with reference to his minute extracted at M on page 1 above.

Sd... 18.2.48.

H.M.Finance.

No further action is called for. The papers may be lodged and stitched with the original of G.O.No.79 Finance 22/1/48.

Sd.. 28/2/48.

/ True Copy /

SUPERINTENDENT.
24-6-1953.
Madras Record Office.

KP.23/6/53.

BNS
24.6.